

HEALTH AND SENIOR SERVICES

DIVISION OF SENIOR BENEFITS AND UTILIZATION MANAGEMENT

Medicaid Administration

**Pharmaceutical Assistance to the Aged and Disabled (PAAD); Lifeline Programs;
Hearing Aid Assistance to the Aged and Disabled (HAAAD)**

Proposed Repeals: N.J.A.C. 8:81

Authorized By: Clifton R. Lacy, M.D., Commissioner, Department of Health and Senior Services

Authority: N.J.S.A. 30:4D-1 et seq. and 30:4E-1 et seq., and Reorganization Plan 001-1996.

Calendar Reference: See Summary below for an explanation of exception to the calendar requirement.

Proposal Number: PRN 2004-297.

Submit written comments by October 15, 2004 to:

Kathleen Mason, Assistant Commissioner
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A copy of the proposal is available for review at all offices of the Area Agencies on Aging, which are situated in all 21 counties.

The agency proposal follows:

Summary

In accordance with Reorganization Plan No. 001-1996, N.J.A.C. 8:81, Medicaid Administration, sets forth the requirements for certain functions of the New Jersey Medicaid program administered by the Department. Subchapters 3, 4 and 5 refer to the administration of the Pharmaceutical Assistance to the Aged and Disabled (PAAD) Program, the Lifeline Credit Program/Tenants Lifeline Assistance (Lifeline) Program, and the Hearing Aid Assistance to the Aged and Disabled (HAAAD) Program. These programs provide assistance to lower income elderly and disabled individuals who do not qualify for Medicaid but need assistance in meeting the costs of prescriptions, utility bills and hearing aids. Individuals must meet age and/or disability and income requirements to qualify for these programs. Rules for these programs are also covered in N.J.A.C. 8:83, 8:83A and 8:83B. The Department notes that while N.J.A.C. 8:83A and 8:83B have expired, both chapters have been proposed as new rules (see 36 N.J.R. 2401(a) and 1861(a), respectively) that shall become effective prior to these repeals taking effect. Specifically, the Pharmaceutical Assistance to the Aged and Disabled (PAAD) Program, N.J.A.C. 8:83, sets forth the policies and procedures relating to assistance for prescription drug costs. The Lifeline Credit Program/Tenants Lifeline Assistance (Lifeline) Program, N.J.A.C. 8:83A, sets forth the policies and procedures relating to financial assistance toward gas and electric costs. The Hearing Aid Assistance to the Aged and Disabled (HAAAD) Program, N.J.A.C. 8:83B, sets forth the policies and procedures relating to the \$100.00 reimbursement to offset the cost of a hearing aid purchase. To avoid duplication, it is being proposed that Subchapters 3, 4, and 5 of N.J.A.C. 8:81 be repealed.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

Because the PAAD, Lifeline and HAAAD programs are already covered in N.J.A.C. 8:83, 8:83A and 8:83B, there will be no social impact with the repeal of these subchapters from N.J.A.C. 8:81.

Economic Impact

Because these programs are already covered in N.J.A.C. 8:83, 8:83A and 8:83B, there will be no economic impact with the repeal of these subchapters from N.J.A.C. 8:81.

Federal Standards Statement

These programs are completely State-funded. Therefore, a Federal standards analysis is not required.

Jobs Impact

Because the PAAD, Lifeline and HAAAD programs are already covered in N.J.A.C. 8:83, 8:83A and 8:83B, there will be no job impact with the repeal of these subchapters from N.J.A.C. 8:81.

Agricultural Industry Impact

The proposed repeals will not have an impact on the agriculture industry in New Jersey.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the repeal of these subchapters from N.J.A.C. 8:81 does not impose reporting, recordkeeping or other compliance requirements on small businesses, as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Smart Growth Impact

The repeal of these subchapters from N.J.A.C. 8:81 will have no impact on the achievement of smart growth or implementation of the State Development and Redevelopment Plan.

Full text of the proposed repeals may be found in the New Jersey Administrative Code at N.J.A.C. 8:81-3, 4 and 5.